

Christina Doherty is a close friend and neighbor of Mark and his wife Sherri. She writes that he is a dedicated father, husband and son, devoted to his children and parents. Mark's mother died while he was in custody and Mark thus was unable to attend the funeral. See Exhibit X.

Laura Ferrugiari, Esq. has known Mark since they were in high school together. Their daughters have been friends for the past 8 years, and their families spend time together, at both their houses. Laura writes that Mark "has provided financial and emotional support to our schools and many families in our community," and that he has changed since his arrest. See Exhibit Y.

Anne Johnston is a close friend of Mark and his wife Sherri. She knows him as "a doting father, husband and son." Anne recounts many incidents of Mark's doting on his parents, now both deceased. She also writes of the impact of Mark's absence on his son Michael, and the three younger children as well. Exhibit Z.

Dean Susajlo is a friend and contemporary of Mark's eldest son, Michael. Dean writes, "Mark has been like a second father to me for over 8 years." Dean writes how Mark encouraged him to go to a technical school for job training, and how that resulted in Dean's enrolling, graduating, and getting a full time job as a diesel truck mechanic. "I can sincerely say that I wouldn't be where I am today if it wasn't for Mark Hotton." See Exhibit AA.

James and Julia Johnson are childhood friends of Mark, and now their children are friends as well. They write of Mark's generosity: "He has provided financial and emotional support to our schools and many families in our community especially those who have had hardships." Exhibit BB.

Ted Yoffe worked at Ladenburg Thalmann, a financial services company, under Mark's supervision from 1999 through 2001. Ted writes that Mark "was an extraordinary hard worker and was highly regarded by all his customers and employees for his diligence, dedication, and great skills." Ted also writes that when his mother was undergoing a cancer surgery, Mark gave him time off from work and how important that was. Exhibit CC.

Mark Hotton's Letter to Your Honor:

Mark Hotton, in a letter dated August 18, 2014, has written to your Honor. He opens by acknowledging his fraudulent actions, and bad decisions. He takes "full responsibility for the harm I have done." He goes on to explain how his "need for quick advance fees outweighed my intention to work completely honest" on the "Rebecca - The Musical" project.

Mark has used his time in MDC to reflect on his past misdeeds. He writes, "I am now crystal clear that all Rules must be followed exactly as required and there is strict penalties for non adherence to rules."

Mark writes as well about The Rising Child Foundation he started with his wife in early 2000.

The financial crisis of the last economic cycle put Mark in a “very bad position.” In an effort to save the real estate partnerships and electrical business he was involved in he committed the frauds at the center of the EDNY case. “I just didn’t have the heart to give up on everyone and everything, I figured I could hold it all together and save it.”

Mark concludes: “I have learned from my mistakes … I clearly know where I went wrong, and upon my release, I will work very hard to repay my responsibilities as directed by the Court to the victims, to society and to my family.” Exhibit DD.

I submit to the Court that Mark’s own letter most eloquently makes the case here for leniency.

**DESIGNATION REQUEST**

We request that your Honor request in the Judgment that the Bureau of Prisons designate Mr. Hotton to the Federal Prison Camp at Lewisburg, Pennsylvania, and that he be considered for the Residential Drug Abuse Program. This facility is within driving distance of Mr. Hotton’s family on Long Island, so that they can make social visits to him, and also adjacent to the Residential Drug Abuse Treatment program, also located at Lewisburg.

CONCLUSION

We request a sentence of time served, which is 23 months as of sentence date.

A sentence of 27 months, after the reduction for good time, would be reduced to about 23 months. Notably, a sentence of 27 months would be two levels below the guideline range of the plea agreement, and only 6 months below the bottom of the plea agreement stipulated guideline range of 33 – 41 months.

We believe your Honor should consider the fact that Mr. Hotton faces a greater sentence in the EDNY case, and the other factors set forth above, and tender justice with mercy in sentencing Mark Hotton here.

Respectfully submitted,

\_\_\_\_\_  
/s/ filed via ECF \_\_\_\_\_  
IRA D. LONDON  
AVROM ROBIN

cc: A.U.S.A. Edward Diskant (via e-mail)  
U.S.P.O. James Mullen  
Marianne Rantala, Esq.